

**BEFORE THE
PHYSICIAN ASSISTANT BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation
Against:**

GABRIEL HERNANDEZ, P.A.

**Physician Assistant
License No. PA 17831**

Respondent

Case No. 950-2018-001966

DECISION AND ORDER

The attached Stipulated Surrender of License and Disciplinary Order is hereby adopted as the Decision and Order of the Physician Assistant Board, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on March 17, 2022.

IT IS SO ORDERED March 10, 2022.

PHYSICIAN ASSISTANT BOARD

By: *Rozana Khan*

**Rozana Khan
Executive Officer**

1 ROB BONTA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 ROBERT W. LINCOLN
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8 *Attorneys for Complainant*

9
10 **BEFORE THE**
11 **PHYSICIAN ASSISTANT BOARD**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
13 **STATE OF CALIFORNIA**

14 In the Matter of the Accusation Against:

Case No. 950-2018-001966

15 **GABRIEL HERNANDEZ, P.A.**
16 **1011 W. Alberta St.**
17 **Anaheim, CA 92805**

**STIPULATED SURRENDER OF
LICENSE AND DISCIPLINARY ORDER**

18 **Physician Assistant License No. PA 17831**

19 Respondent.

20 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
21 entitled proceedings that the following matters are true:

22 **PARTIES**

23 1. Rozana Khan (Complainant) is the Executive Officer of the Physician Assistant
24 Board (Board). She brought this action solely in her official capacity and is represented in this
25 matter by Rob Bonta, Attorney General of the State of California, by Robert W. Lincoln, Deputy
26 Attorney General.

27 2. Gabriel Hernandez, P.A. (Respondent) is representing himself in this proceeding and
28 has chosen not to exercise his right to be represented by counsel.

3. On or about February 16, 2005, the Board issued Physician Assistant License No. PA 17831 to Gabriel Hernandez, P.A. (Respondent). The Physician Assistant License expired on November 30, 2020, and has not been renewed.

JURISDICTION

4. Accusation No. 950-2018-001966 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on June 17, 2021. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 950-2018-001966 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in Accusation No. 950-2018-001966. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and Disciplinary Order.

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation 950-2018-001966, agrees that cause exists for discipline and hereby surrenders his Physician Assistant License No. PA 17831 for the Board's formal acceptance.

9. This stipulation shall be subject to approval by the Board. Respondent understands and agrees that counsel for Complainant and the staff of the Board may communicate directly

1 with the Board regarding this stipulation and surrender, without notice to or participation by
2 Respondent. By signing the stipulation, Respondent understands and agrees that he may not
3 withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers
4 and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the
5 Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this
6 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not
7 be disqualified from further action by having considered this matter.

8 10. The parties understand and agree that Portable Document Format (PDF) and facsimile
9 copies of this Stipulated Surrender of License and Disciplinary Order, including PDF and
10 facsimile signatures thereto, shall have the same force and effect as the originals.

11 11. In consideration of the foregoing admissions and stipulations, the parties agree that
12 the Board may, without further notice or formal proceeding, issue and enter the following Order:

13 **ORDER**

14 IT IS HEREBY ORDERED that Physician Assistant License No. PA 17831, issued to
15 Respondent Gabriel Hernandez, P.A., is surrendered and accepted by the Board.

16 1. The surrender of Respondent's Physician Assistant License and the acceptance of the
17 surrendered license by the Board shall constitute the imposition of discipline against Respondent.
18 This stipulation constitutes a record of the discipline and shall become a part of Respondent's
19 license history with the Board.

20 2. Respondent shall lose all rights and privileges as a Physician Assistant in California
21 as of the effective date of the Board's Decision and Order.

22 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was
23 issued, his wall certificate on or before the effective date of the Decision and Order.

24 4. If Respondent ever files an application for licensure or a petition for reinstatement in
25 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
26 comply with all the laws, regulations and procedures for reinstatement of a revoked or
27 surrendered license in effect at the time the petition is filed, and all of the charges and allegations
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1 contained in Accusation No. 950-2018-001966 shall be deemed to be true, correct and admitted
2 by Respondent when the Board determines whether to grant or deny the petition.

3 5. Respondent shall pay the agency its costs of investigation and enforcement in the
4 amount of \$20,711.25 prior to issuance of a new or reinstated license.

5 6. If Respondent should ever apply or reapply for a new license or certification, or
6 petition for reinstatement of a license, by any other health care licensing agency in the State of
7 California, all of the charges and allegations contained in Accusation, No. 950-2018-001966 shall
8 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
9 Issues or any other proceeding seeking to deny or restrict licensure.

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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Disciplinary Order. I understand the stipulation and the effect it will have on my Physician Assistant License. I enter into this Stipulated Surrender of License and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Physician Assistant Board.

DATED: 1/30/2022


GABRIEL HERNANDEZ, P.A.
Respondent

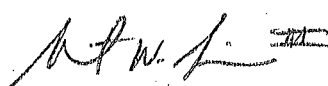
ENDORSEMENT

The foregoing Stipulated Surrender of License and Disciplinary Order is hereby respectfully submitted for consideration by the Physician Assistant Board of the Department of Consumer Affairs.

DATED: 2/7/2022

Respectfully submitted,

ROB BONTA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General


ROBERT W. LINCOLN
Deputy Attorney General
Attorneys for Complainant

SD2021800355

Exhibit A

Accusation No. 950-2018-001966

1 ROB BONTA
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2 ALEXANDRA M. ALVAREZ
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10 **BEFORE THE**
11 **PHYSICIAN ASSISTANT BOARD**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

13 In the Matter of the Accusation Against:	Case No. 950-2018-001966
14 Gabriel Hernandez, P.A.	A C C U S A T I O N
15 1011 W ALBERTA ST	
16 ANAHEIM, CA 92805	
17 Physician Assistant License	
18 No. PA 17831,	
Respondent.	

19
20 **PARTIES**

- 21 1. Rozana Khan (Complainant) brings this Accusation solely in her official capacity as
22 the Executive Officer of the Physician Assistant Board, Department of Consumer Affairs (Board).
- 23 2. On or about February 16, 2005, the Physician Assistant Board issued Physician
24 Assistant License No. PA 17831 to Gabriel Hernandez, P.A. (Respondent). The Physician
25 Assistant License expired on November 30, 2020, and has not been renewed.

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3. This Accusation is brought before the Board, under the authority of the following

4. Section 3504.1 of the Code states:

Protection of the public shall be the highest priority for the Physician Assistant Board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

5. Section 3527 of the Code states:

(a) The board may order the denial of an application for, or the issuance subject to terms and conditions of, or the suspension or revocation of, or the imposition of probationary conditions upon a PA license after a hearing as required in Section 3528 for unprofessional conduct that includes, but is not limited to, a violation of this chapter, a violation of the Medical Practice Act, or a violation of the regulations adopted by the board or the Medical Board of California.

• • •

(f) The expiration, cancellation, forfeiture, or suspension of a PA license by operation of law or by order or decision of the board or a court of law, the placement of a license on a retired status, or the voluntary surrender of a license by a licensee shall not deprive the board of jurisdiction to commence or proceed with any investigation of, or action or disciplinary proceeding against, the licensee or to render a decision suspending or revoking the license.

• • •

6. Section 3528 of the Code states:

Any proceedings involving the denial, suspension or revocation of the application for licensure or the license of a PA or the application for approval or the approval of an approved program under this chapter shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

1 7. Section 2227 of the Code states:

2
3 (a) A licensee whose matter has been heard by an administrative law judge of the
4 Medical Quality Hearing Panel as designated in Section 11371 of the government Code, or
5 whose default has been entered, and who is found guilty, or who has entered into a
6 stipulation for disciplinary action with the board, may, in accordance with the provisions of
7 this chapter:

8 (1) Have his or her license revoked upon order of the board.

9 (2) Have his or her right to practice be suspended for a period not to exceed
10 one year upon order of the board.

11 (3) Be placed on probation and be required to pay the costs of probation
12 monitoring upon order of the board.

13 (4) Be publicly reprimanded by the board. The public reprimand may include
14 a requirement that the licensee complete relevant educational courses approved
15 by the board.

16 (5) Have any other action taken in relation to discipline as part of an order of
17 probation, as the board or an administrative law judge may deem proper.

18 ...

19 8. Section 2234 of the Code states:

20 The board shall take action against any licensee who is charged with unprofessional
21 conduct. In addition to other provisions of this article, unprofessional conduct includes, but
22 is not limited to, the following:

23 ...

24
25 (e) The commission of any act involving dishonesty or corruption that is
26 substantially related to the qualifications, functions, or duties of a physician and surgeon.

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1 9. Section 2236 of the Code states:

2 (a) The conviction of any offense substantially related to the qualifications,
3 functions, or duties of a physician and surgeon constitutes unprofessional conduct within
4 the meaning of this chapter. The record of conviction shall be conclusive evidence only of
5 the fact that the conviction occurred.

6 ...

7 (d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is
8 deemed to be a conviction within the meaning of this section and Section 2236.1. the
9 record of conviction shall be conclusive evidence of the fact that the conviction occurred.

10 10. Section 2242 of the Code states:

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12 (a) Prescribing, dispensing or furnishing dangerous drugs as defined in Section 4022
13 without an appropriate prior examination and a medical indication, constitutes
14 unprofessional conduct.

15 ...

16 11. Section 3531 of the Code states:

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18 A plea or verdict of guilty or a conviction following a plea of nolo contendere made
19 to a charge of a felony or of any offense which is substantially related to the qualifications,
20 functions, or duties of the business or profession to which the license to which the license
21 was issued is deemed to be a conviction within the meaning of this chapter. The board may
22 order the license suspended or revoked, or shall decline to issue a license suspended or
23 revoked, or shall decline to issue a license when the time for appeal as elapsed, or the
24 judgment of conviction has been affirmed on appeal or when an order granting probation is
25 made suspending the imposition of sentence, irrespective of a subsequent order under the
26 provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his or her
27 plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or
28 dismissing the accusation, information, or indictment.

12. Section 118 of the Code states:

...

1 (b) The suspension, expiration, or forfeiture by operation of law of a license issued
2 by a board in the department, or its suspension, forfeiture, or cancellation by order of a
3 court of law, or its surrender without the written consent of the board, shall not, during any
4 period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its
5 authority to institute or continue a disciplinary proceeding against the licensee upon any
6 ground provided by law or to enter an order suspending or revoking the license or otherwise
7 taking disciplinary action against the licensee on any such ground.

8 ...

9 COST RECOVERY

10 13. Section 125.3 if the Code States:

11 (a) Except as otherwise provided by law, in any order issued in resolution of a
12 disciplinary proceeding before any board within the department or before the Osteopathic
13 Medical Board upon request of the entity bringing the proceeding, the administrative law
14 judge may direct a licensee found to have committed a violation or violations of the
15 licensing act to pay a sum not to exceed the reasonable costs of the investigation and
16 enforcement of the case.

17 (b) In the case of a disciplined licentiate that is a corporation or a partnership, the
18 order may be made against the licensed corporate entity or licensed partnership.

19 (c) A certified copy of the actual costs, or a good faith estimate of costs where actual
20 costs are not available, signed by the entity bring the proceeding or its designated
21 representative shall be prima facie evidence of reasonable costs of investigation and
22 prosecution of the case. The costs shall include the amount of investigative and
23 enforcement costs up to the date of the hearing, including, but not limited to, charges
24 imposed by the Attorney General.

25 (d) The administrative law judge shall make a proposed finding of the amount of
26 reasonable costs of investigation and prosecution of the case when requested pursuant to
27 subdivision (a). The finding of the administrative law judge with regard to costs shall not
28 be reviewable by the board to increase the cost award. The board may reduce or eliminate
the cost award, or remand to the administrative law judge if the proposed decision fails to
make a finding on costs requested pursuant to subdivision (a).

(e) In order for recovery of costs is made and timely payment is not made as directed
in the board's decision, the board may enforce the order for prepayment in any appropriate
court. This right of enforcement shall be in addition to any other rights the board may have
as to any licensee to pay costs.

1 (f) In any action for recovery of costs, proof of the board's decision shall be
2 conclusive proof of the validity of the order of payment and the terms for payment.

3 (g) (1) Except as provided in paragraph (2), the board shall not renew or reinstate the
4 license of any licensee who has failed to pay all of the costs ordered under this section.

5 (2) Notwithstanding paragraph (1), the board may, in its discretion, conditionally
6 renew or reinstate for a maximum of one year the license of any licensee who demonstrates
7 financial hardship and who enters into a formal agreement with the board to reimburse the
8 board within that one-year period for the unpaid costs.

9 (h) All costs recovered under this section shall be considered a reimbursement for
10 costs incurred and shall be deposited in the fund of the board recovering costs to be
11 available upon appropriation by the Legislature.

12 (i) Nothing in this section shall preclude a board from including the recovery of the
13 costs of investigation and enforcement of a case in any stipulated settlement.

14 (j) This section does not apply to any board if a specific statutory provision in the
15 board's licensing act provides for recovery of costs in an administrative disciplinary
16 proceeding.

17 (k) Notwithstanding the provisions of this section, the Medical Board of California
18 shall not request nor obtain from a physician and surgeon, investigation and prosecution
19 costs for a disciplinary proceeding against the licensee. The board shall ensure that this
20 subdivision is revenue neutral with regard to it and that any loss of revenue or increase in
21 costs resulting from this subdivision is offset by an increase in the amount of the initial
22 license fee and the biennial renewal fee, as provided in subdivision (e) of Section 2435.

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FACTUAL ALLEGATIONS

CURES Data

14. A 24-month query of Respondent's CURES¹ record data for the approximate timeframe of November 26, 2016 through November 26, 2018 shows that Respondent prescribed over 5,900 controlled substances during that period, approximately 52% of which were for Oxycodone², a schedule II narcotic. Of those Oxycodone prescriptions, approximately 97% were prescribed by Respondent at 30 milligram strength, for a total of over 446,000 dosage units prescribed within the time frame. 30 milligrams is the maximum strength of short-acting oxycodone.

15. Respondent's CURES data showed that his prescriptions for oxycodone and other narcotics were often prescribed in similar dangerous cocktails, including in particular with benzodiazepines³ (e.g. alprazolam⁴) and/or the muscle relaxant carisoprodol⁵. When Oxycodone is prescribed with benzodiazepine and/or the muscle relaxant carisoprodol, this combination of drugs is called "the holy trinity" and is highly sought after by individuals who have a prescription drug addiction and when taken together, it also magnifies the risk of overall overdose death. Respondent's CURES data showed his pattern of prescribing opiates with benzodiazepines and carisoprodol.

¹ The Controlled Substance Utilization Review and Evaluation System (CURES), California's Prescription Drug Monitoring Program (PDMP) maintained by the Department of Justice (DOJ), is a database of Schedule II, III, and IV controlled substance prescriptions dispensed in California.

² Oxycodone (including brand names OxyContin and Percocet) is a schedule II controlled substance pursuant to Health and Safety Code Section 11055(b)(1)(N) and a controlled substance and a dangerous drug as defined in Section 4022.

³ Benzodiazepines a family of drugs that depress central nervous system activity (CNS depressants) and also produce sedation and relaxation of skeletal muscles. Benzodiazepines include the prototype chlordiazepoxide; other anxiolytics such as alprazolam, clonazepam, and diazepam; and hypnotics such as estazolam, flurazepam, quazepam, temazepam, and triazolam.

⁴ Alprazolam (including brand names Xanax) is a benzodiazepine that affects chemicals in the brain that may be unbalanced in people with anxiety. It is used to treat anxiety disorders and anxiety caused by depression. Alprazolam is a Schedule IV controlled substance and a dangerous drug as defined in Section 4022.

⁵ Carisoprodol (including brand names Soma) is a medication used for musculoskeletal pain. Carisoprodol is a Schedule IV controlled substance and a dangerous drug as defined in Section 4022.

1 Cooperating Source and Undercover Prescription Purchases from Respondent.

2 16. In or around September 2018, a federal investigator recruited a Patient Cooperating
3 Source⁶ ("CS") who was a patient of Respondent and who received controlled substances via
4 prescriptions written by Respondent at Vortex Wellness and Aesthetics⁷ on a monthly basis.

5 17. On or around November 6, 2018, federal agents conducted a "buy-walk" from
6 Respondent utilizing the CS who was in possession of an undercover recording device. During
7 CS's brief interaction with Respondent, Respondent gave CS prescriptions for 20 pills of 10-mg
8 Valium (a schedule IV benzodiazepine commonly known as diazepam), 45 pills of maximum 2-
9 mg strength Xanax, 180 pills of 30-mg Oxycodone, 5 pills of maximum strength Norco (a brand
10 name for the schedule II narcotic hydrocodone), and 60 pills of 100-mg Colace (a non-controlled
11 stool softener). The visit between CS and Respondent lasted only a few minutes and Respondent
12 conducted no physical examination of CS.

13 18. According to CS, Respondent had the prescriptions already filled out when CS
14 entered Respondent's office. CS also stated that Respondent did not conduct any physical
15 examination or asked about whether CS had any pain.

16 19. On or about December 10, 2018, federal agents conducted a second "buy/walk" from
17 Respondent at Vortex, utilizing CS. CS received a prescription for 180 pills of 30-mg Oxycodone,
18 40 pills of 2-mg alprazolam, 8 pills of 10-mg hydrocodone, 20 pills of diazepam, and 60 pills of
19 Colace. Respondent had already written out each prescription before CS arrived in Respondent's
20 office. Again, Respondent did not perform a physical exam and did not discuss whether CS was
21 experiencing any pain.

22 20. On or about January 16, 2019, federal agents conducted a third "buy/walk" from
23 Respondent at Vortex with CS. Respondent added Dilaudid (a brand name for the Schedule II
24 opiate hydromorphone) to CS's prescription as a test trial, because CS is on long acting narcotics.
25 CS obtained a prescription for 180 pills of 30-mg Oxycodone, 30 pills of 4-mg hydromorphone,
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27 ⁶ The names of patient are abbreviated to protect their privacy rights. The names will be
28 provided to Respondent upon written request for discovery.

⁷ Respondent's place of employment, located at 4195 N. Viking Way #130, Long Beach,
 CA.

1 45 pills of 2-mg alprazolam, 5 pills of 10-mg hydrocodone, 20 pills of 10-mg diazepam, and 60
2 pills of Colace. Again, Respondent had pre-written these prescriptions before CS arrived in
3 Respondent's office.

4 Arrest of Oxycodone Dealer Receiving Prescriptions from Respondent.

5 21. On or about January 18, 2019, federal investigators arrested MV⁸ a patient of
6 Respondent. During the traffic stop, MV's vehicle was searched and various medical
7 documentation was found in his vehicle including (1) VORTEX forms dated January 16, 2019,
8 identifying MV; and a printout of MV's CURES records showing that, between October 29,
9 2018 and January 7, 2019, MV had filled nine prescriptions for 30-mg Oxycodone, 4-mg
10 hydrophone, and 350-mg of carisoprodol, all issued by Respondent.

11 22. From September 2017 through January 2019, MV filled prescriptions from
12 Respondent for a total of 3,240 tablets of 30-mg Oxycodone, 1,020 tablets of 350-mg
13 carisoprodol, and 540 tablets of 4-mg hydromorphone.

14 Conviction

15 23. On or about March 26, 2019, the United States Attorney's Office Central District of
16 California filed a criminal complaint against Respondent in the matter of *The United States of*
17 *America v. Gabriel Hernandez*, Case No. 2:19-CR-00176-CAS, Respondent was charged with
18 one felony count for Distribution of Oxycodone in violation of 21 U.S.C. § 841(a)(1),(b)(1)(C).

19 24. On or about June 3, 2020, in the matter of *The United States of America v. Gabriel*
20 *Hernandez*, Case No. 2:19-CR-00176-CAS, Respondent pled guilty to one felony count for
21 Distribution of Oxycodone in violation of 21 U.S.C. § 841(a)(1),(b)(1)(C). Respondent was
22 sentenced to be imprisoned for eighteen (18) months, pay a total fine of \$13,000 and upon release
23 from imprisonment, Respondent shall be placed on supervised release for a term of three (3) years
24 under various terms and conditions.

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27 _____
28 ⁸ The names of patient are abbreviated to protect their privacy rights. The names will be
provided to Respondent upon written request for discovery.

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Conviction of an Offense Substantially Related to the Qualifications, Functions, or**
3 **Duties of a Physician Assistant)**

4 25. Respondent has subjected his Physician Assistant License No. 17831 to disciplinary
5 action under section 3527, as defined by sections 2236 and 3531, of the Code, in that Respondent
6 was convicted of an offense substantially related to the qualifications, functions or duties of a
7 Physician Assistant, as more particularly alleged in Paragraphs 14 through 24, above, is hereby
8 incorporated by reference as if fully set forth herein.

9 **SECOND CAUSE FOR DISCIPLINE**

10 **(Dishonest and/or Corrupt Acts)**

11 26. Respondent has further subjected his Physician Assistant License No. PA 17831 to
12 disciplinary action under sections 3527, 2227, and 2234, as defined by section 2234, subdivision
13 (e), of the Code, in that he has committed acts of dishonesty or corruption, as more particularly
14 alleged in paragraphs 14 through 25, above, which is hereby incorporated by reference as if fully
15 set forth herein.

16 **THIRD CAUSE FOR DISCIPLINE**

17 **(Prescribing Dangerous Drugs Without an Appropriate Prior Examination)**

18 27. Respondent has further subjected his Physician Assistant License No. PA 17831 to
19 disciplinary action under section 2242, subdivision (a), of the Code, in that he prescribed
20 dangerous drugs without an appropriate prior examination, as more particularly alleged in
21 paragraphs 14 through 26, above, which are hereby incorporated by reference and re-alleged as if
22 fully set forth herein.

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1 **FOURTH CAUSE FOR DISCIPLINE**

2 **(General Unprofessional Conduct)**

3 28. Respondent has further subjected his Physician Assistant License No. PA 17831 to
4 disciplinary action under sections 3527 and 2234, as defined by section 2234, of the Code, in that
5 he has engaged in conduct which breaches the rules or ethical code of the medical profession, or
6 conduct which is unbecoming to a member in good standing of the medical profession, and which
7 demonstrates an unfitness to practice medicine, as more particularly alleged in paragraphs 14
8 through 27, above, which are hereby incorporated by reference and re-alleged as if fully set forth
9 herein.

10 **PRAYER**

11 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
12 and that following the hearing, the Physician Assistant Board issue a decision:

- 13 1. Revoking or suspending Physician Assistant License Number PA 17831, issued to
14 Gabriel Hernandez, P.A.;
- 15 2. Ordering Respondent Gabriel Hernandez, P.A., to pay the Physician Assistant Board
16 the reasonable costs of the investigation and enforcement of this case, pursuant to Business and
17 Professions Code section 125.3; and
- 18 3. Taking such other and further action as deemed necessary and proper.

19
20 DATED: June 17, 2021

Rozana Khan

ROZANA KHAN
Executive Officer
Physician Assistant Board
Department of Consumer Affairs
State of California
Complainant

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